

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

In Re WNM, a person under the age of
eighteen; NEIL ANTHONY MEYER; and
NICOLE MARIE POTEBNYA,

Plaintiffs,

v.

WILLIAM G. MOORE,

Defendant.

Case No. C08-5451RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon W.N.M. (a minor), Neil Anthony Meyer, and Nicole Marie Potebnya's Motion for Remand [Dkt. #14]. Having considered the entirety of the records and file herein and having considered William G. Moore's opposition to the motion [Dkt. #16], the Court finds and rules as follows:

This case involves Moore's challenge to the adoption of Moore's biological child, W.N.M., by the child's biological mother and her husband. The action began in Thurston County Superior Court on or about January 31, 2008. Moore removed it to this Court on or about July 11, 2008. It is well settled that federal courts do not have jurisdiction over domestic relations cases. *See In re Burrus*, 136 U.S. 580, 593-94 (1890); *Cbisi v. Fustos*, 670 F.2d 134, 136-37 (9th Cir. 1982). As stated by the Supreme Court in 1890, "[t]he whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States." *Burrus*, 136 U.S., at 593-94. Therefore, this Court lacks subject matter jurisdiction over Moore's claims.

1 The Motion for Remand [Dkt. #14] is **GRANTED**. This case shall be remanded to the Thurston
2 County Superior Court. All other pending motions are **DENIED as MOOT**.

3 **IT IS SO ORDERED.**

4 Dated this 18th day of September, 2008.

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7 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE
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